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11 Attorneys for Plaintiffs, ANDREW SHEETS and  
12 KRISTINE SHEETS

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

16 ANDREW SHEETS, an individual,  
KRISTINE SHEETS, an individual.

Plaintiff,

V.

19 F. HOFFMAN-LA ROCHE LTD; F.  
20 HOFFMAN-LA ROCHE, INC.;  
GENENTECH, INC.: and DOES 1-100

**Defendant**

Case No. 3:18-cv-04565-JST

The Hon. Jon S. Tigard

**JOINT STIPULATION TO RESET  
HEARING DATE FOR MOTION TO  
REMAND, REVISE BRIEFING  
SCHEDULE, AND EXTEND  
RESPONSIVE PLEADING DEADLINE  
BY DEFENDANTS PURSUANT TO FED.  
R. CIV. P. 6(b) AND CIVIL LOCAL RULE  
6-1(b)**

[Removal from Superior Court of the State of California, County of Sonoma, Case No. SCV-262710]

Action Filed: June 28, 2018

1            WHEREAS, Plaintiffs Andrew Sheets and Kristie Sheets ("Plaintiffs") timely filed a  
2 Notice of Motion and Motion to Remand the Case Back to State Court ("Motion to Remand")  
3 pursuant to 28 U.S.C. § 1447(c) on August 27, 2018, ECF 10, with a hearing on the Motion to  
4 Remand set for October 16, 2018;

5            WHEREAS, Defendants Hoffmann-La Roche Inc. and Genentech, Inc. ("Removing  
6 Defendants," and together with the Plaintiffs, the "Parties") timely filed an opposition to the  
7 Motion to Remand on September 25, 2018, ECF 17;

8            WHEREAS, Removing Defendants filed a Consent or Declination to Magistrate Judge  
9 Jurisdiction in which they declined to have a U.S. Magistrate Judge conduct all further  
10 proceedings in this case and requested that the case be reassigned to a U.S. district judge, ECF 20;

11            WHEREAS, on September 28, 2018, the clerk of the court filed a notice indicating that all  
12 hearing dates presently scheduled before the Magistrate Judge (including the hearing date for the  
13 Motion to Remand) were vacated and should be re-noticed before the district judge to whom the  
14 case is assigned, ECF 21;

15            WHEREAS, on October 1, 2018, the clerk of the court reassigned the case to this Court;

16            WHEREAS, Federal Rule of Civil Procedure Rule 6(b) provides that "[w]hen an act may  
17 or must be done within a specified time, the court may, for good cause, extend the time . . . if a  
18 request is made, before the original time . . . expires";

19            WHEREAS, Civil L.R. 6-1(b) provides that the Removing Defendants and Plaintiffs may  
20 file a "request for a Court order enlarging... time...by written stipulation" where such extension  
21 would alter a deadline already fixed by the Court;

22            WHEREAS, the Plaintiffs' deadline to file a Reply to the Opposition to the Motion to  
23 Remand is currently October 2, 2018, pursuant to a prior stipulation, ECF 15-16;

24            WHEREAS, the Removing Defendants' deadline to file a responsive pleading to the  
25 Complaint is currently October 2, 2018, pursuant to a prior stipulation, ECF 7-8;

26            WHEREAS, with respect to the deadlines extended herein, each Party to this Joint  
27 Stipulation agrees not to assert against any other Party to this Joint Stipulation any defense based  
28 on the failure to meet an original deadline prescribed by Federal rule or statute, so long as the

1 Parties timely file the applicable motion or pleading within the deadlines prescribed herein;  
2 WHEREAS, this stipulation is not intended to operate as an admission of any factual  
3 allegation or legal conclusion and is submitted subject to and without waiver of any rights,  
4 defenses, affirmative defenses, or objections, including without limitation, those related to  
5 personal jurisdiction, service of process, or statute of limitations.

6 **STIPULATION**

7 **NOW, THEREFORE**, pursuant to Federal Rule Civil Procedure Rule 6(b) and Civil L.R.  
8 6-1(b), the Parties hereby agree and stipulate, and request the Court to extend the time, as follows:  
9 1. The deadline for Removing Defendants to file a responsive pleading to Plaintiffs'  
10 Complaint is extended to October 9, 2018.

11 2. The hearing on Plaintiffs' Motion to Remand is reset to November 8, 2018.

12 3. The deadline for Plaintiffs to file a Reply in support of the Motion to Remand is  
13 extended to October 25, 2018.

14 4. The Parties additionally reserve all rights to seek further extensions as necessary.

15 **IT IS SO STIPULATED.**

16 Dated: October 2, 2018

17 /s/ Jesse Max Creed  
18 Peter L. Kaufman, Esq.  
19 Jesse Max Creed, Esq.  
20 *Attorneys for Plaintiffs*  
21 Andrews Sheets and Kristie Sheets

22 Dated: October 2, 2018

23 /s/ Alexander A. Guney  
24 Michael F. Healy, Esq.  
25 Emily M. Weissenberger, Esq.  
26 Alexander A. Guney, Esq.  
27 *Attorneys for Defendants*  
28 Hoffmann-La Roche Inc. and  
Genentech, Inc.

1  
2                   **{PROPOSED} ORDER**  
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4  
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PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: October 4, 2018

  
\_\_\_\_\_  
JUDGE TIGAR

9  
10                   **ATTESTATION OF SIGNATURE**  
11  
12

Pursuant to Civil L.R. 5-1(i), the undersigned hereby attests that concurrence in the filing of  
this document has been obtained from all signatories hereto.

Dated: October 2, 2018

/s/ Jesse Creed  
Jesse Creed